

01-22-02

AF/13728

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): F. Andrew UBEL et al.

Group Art Unit: 3728

Serial No.: 09/551,706

Examiner: T. Arnold

Confirmation No.: Unknown

Docket No.: 55019USA1A.002

Filed: 18 April 2000

Title: APPARATUS AND METHODS FOR PACKAGING AND STORING MOISTURE-SENSITIVE PRODUCTS IN RESEALABLE POUCHES

Assistant Commissioner for Patents

In: Box AF

Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ An itemized return postcard.
☐ A Petition for Extension of Time for ___ month(s) and a check in the amount of \$___ for the required fee.
☐ An Information Disclosure Statement (___ pgs); copies of ___ applications; 1449 forms (___ pgs); and copies of ___ documents cited on the 1449 forms.
☐ A check in the amount of \$___, for ___.
☐ A certified copy of a ___ application, Serial No. __, filed ____, the right of priority of which is claimed under 35 U.S.C. §119.
☐ Other:
☒ Response Under 37 C.F.R. §1.116 (15 pgs total).
☒ No Additional fee is required. ___ The fee has been calculated as shown:

Fee Calculation for Claims Pending After Amendment					
	Pending Claims after Amendment (1)	Claims Paid for Earlier (2)	Number of Additional Claims (1-2)	Cost per Additional Claim	Additional Fees Required
Total Claims				x \$18 =	
Independent Claims				x \$84 =	
One or More New Multiple Dependent Claims Presented? If Yes, Add \$280 Here →					
Total Additional Claim Fees Required					

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.

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CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EL888274247US

Date of Deposit: January 18, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, ATTN: Box AF, Washington, D.C. 20231.

By: Gina LachName: Gina Lach

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Response Under 37 C.F.R. § 1.116
Examining Group 3728

OFFICIAL

PATENT

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For: APPARATUS AND METHODS FOR PACKAGING AND STORING
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RESPONSE UNDER 37 C.F.R. § 1.116

Assistant Commissioner for Patents
ATTN: Box AF
Washington D.C. 20231

Dear Sir:

In response to the Office Action dated 5 November 2001, please consider the following remarks:

Remarks

Claims 1-2, 4-23, 25-32, 38-46, and 61-62 are pending in the present application. Reconsideration and withdrawal of the rejections in view of the following remarks are respectfully requested.

I. Whether Claim 1 is anticipated by Nakamura (U.S. Patent No. 5,076,424) under 35 U.S.C. § 102(b)

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Nakamura. Applicants traverse this rejection.

For a claim to be anticipated under 35 U.S.C. § 102(b), each and every element of the claim must be found in a single prior art reference. See M.P.E.P. § 2131.